U.S. DEPARTMENT of STATE

Azerbaijan

Advancing Freedom and Democracy Reports - 2008
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Part 1

Azerbaijan is a republic with a presidential form of government. The president dominates the executive, legislative, and judicial branches of government. The government's human rights record remains poor and worsened in some areas in 2007. The government restricted the public's right to peacefully change the national legislature in the 2005 parliamentary elections, although there have been improvements in some areas, including in the 2006 election reruns in 10 constituencies. Torture and beating of persons in police and military custody resulted in four deaths in 2007, and security forces continue to act with impunity. Prison conditions--despite improvements in infrastructure--generally remain harsh and life threatening. Arbitrary arrest and detention, particularly of individuals considered by the government to be political opponents, and lengthy pretrial detention continue. The government imprisons persons for politically motivated reasons, and there is pervasive corruption in the judiciary and in law enforcement. Restrictions on freedom of assembly continue. Restrictions on media freedom and political participation worsened in 2007. The government imposes restrictions on the activities of some unregistered religious groups. Cases of violence against women have been reported. Reports of cases of trafficking in persons continue, although the government has taken some steps to address the problem.

Part 2

The U.S. government's human rights and democracy strategy focuses on promoting five key sectors of democratic development: democratic political processes; the rule of law and the fight against corruption; respect for human rights and fundamental freedoms; respect for media freedom; and an engaged, empowered, and educated citizenry.

To achieve these priorities, the United States will continue its work to decrease government pressure on the media and to develop an independent, professional media. The United States will engage in policy and programming activities to support a fair and free presidential election in October 2008 that meets international standards, including the full restoration of freedom of assembly. The United States will continue assistance to strengthen the accountability and transparency of the executive, legislative, and judicial branches, as well as of civil society. Finally, the United States will continue to assist the government in its fight against trafficking in persons.

Part 3

Since December 2006 the United States has pursued these objectives through a high-level democracy and human rights dialogue with the government, co-chaired by the assistant secretary of state for democracy, human rights, and labor and the foreign minister. This dialogue remains the U.S. government's primary vehicle to promote democratic reform. To supplement and expand upon this dialogue, U.S. officials at all levels, including the ambassador and other senior U.S. officials, regularly meet with representatives of political parties, a range of human rights and democracy activists, media representatives, and government officials. The ambassador and U.S. officials also engage in regular discussions with government and civil society representatives on a variety of democracy and human rights issues. High-level U.S. officials and members of Congress visiting the country reinforce U.S. support for democracy and human rights. Promoting democracy and protecting human rights remains the primary focus of U.S. public diplomacy programming activities. The ambassador and other U.S. officials regularly focus on democracy and human rights in public remarks. The embassy utilizes small grants, the Fulbright Scholar Program, speaker programs, and the International Visitor Leadership Program to foster greater understanding of democracy and human rights. The U.S. government places particular emphasis on gender and youth issues in all programs.

Many of the U.S. government's policy and programming efforts focus on promoting democratic political processes, especially creating the conditions necessary for a free and fair presidential election in October 2008. The ambassador and other U.S. officials publicly and privately discuss the importance of key reforms in all five priority areas, and the United States continues to provide election-related technical assistance to promote a democratic political process; support electoral reform; promote rule of law; and advance freedoms of media, assembly, and association. The U.S. government also continues to support the development of a transparent and accountable parliament. To facilitate development of a more responsive legislature, the United States works with the parliament to open constituency offices, train members of parliament to respond to constituency requests and issues, provide greater citizen access to draft legislation, and promote civil society interaction with the legislature, including input into the law-making process.

U.S. officials at all levels regularly engage the government on the importance of media freedom, including the need to decriminalize defamation and to develop an alternative dispute resolution mechanism for such cases. Senior U.S. officials raise concerns regarding the imprisonment of journalists on criminal libel and other charges related to their work. In cases of government action to pressure the independent media, U.S. officials raise their concerns with the relevant authorities, and the United States issues public statements regarding these incidents. Senior U.S. officials urge the government to investigate and bring to justice individuals--whether members of the security forces or others--responsible for physical attacks on journalists, including those responsible for the unsolved 2005 murder of prominent independent journalist Elmar Huseynov. The United States continues to support activities to professionalize the media. For example, in 2007 the United States supported the establishment of the Azerbaijan-American Journalism Academy and also covered the expenses of five journalists to complete a portion of a master's degree in journalism. The United States continues to support programs to increase the independence of the media and to improve advocacy on behalf of media rights and freedom of information. U.S.-funded assistance also works to strengthen media sustainability, placing particular emphasis on improving financial management strategies and practices in private media outlets, increasing the skills and knowledge of journalists, and effectively monitoring government harassment and interference.

Part 4

The United States promotes respect for the rule of law and human rights diplomatically and programmatically. U.S. officials often monitor high-profile court proceedings; for example, in 2007 U.S. officials monitored the court cases of several journalists standing trial on libel and other charges related to their work, as well the court cases of former government officials who were arrested in 2005 on charges of coup plotting and subsequently corruption, but brought to trial only on charges related to corruption. The United States funds programs to increase the professionalism and skills of the judiciary, prosecutors, the defense bar, young lawyers, and female lawyers and places emphasis on developing the adversarial system, including balancing the interests of the state with the rights of detainees and defendants. The United States also provides technical assistance that supports civil society's anticorruption efforts and enhances the capacity of government agencies and officials to fight and prevent corruption. To promote the creation of an independent judiciary, U.S. officials monitor exams given to those seeking to become new judges and assist in training new judges about their role as neutral arbiters in adversarial court proceedings and how to effectively handle complex criminal cases. The United States continues to work with law schools on curriculum development and new teaching methodologies and supports a legal clinic in the exclave of Nakhchivan. U.S. assistance also supports a legal aid and advocacy center, which provided 1,910 citizens with assistance in filing and pursuing anticorruption complaints in 2007.

U.S. officials urge their counterparts to respect the right of freedom of assembly and to authorize peaceful demonstrations. To emphasize the importance of this freedom, U.S. officials in the country monitor police conduct at political rallies, publicly affirming the need for full respect of the right to freedom of assembly and condemning the excessive use of force against demonstrators. In cooperation with the Organization for Security and Cooperation in Europe, the United States is providing training on crowd control techniques that respect human rights. The United States voices its concerns to all levels of the government regarding the right of citizens to organize and

demonstrate peacefully. To address human rights abuses by law enforcement officers, U.S. officials regularly urge the government to ensure that police comply with human rights standards and to hold police officials accountable for torture, abuse, or misconduct. To focus attention on poor conditions, U.S. officials regularly visit prisons and detention facilities.

To support the development of civil society, U.S. officials engage regularly in dialogue with NGOs supporting political and economic reform. The United States provides technical assistance, grants, and exchange programs to support the activities of local NGOs, to encourage dialogue between the government and civil society, to educate the government about democratic practices, and to improve local government accountability to citizens. The United States works with more than 100 NGOs to develop strategic plans, implement advocacy campaigns, increase public participation, and facilitate discussions between citizens and local officials on specific issues of local concern. U.S. assistance continues to support civic education activities; in 2007 these activities enhanced the civic participation, knowledge, and skills of 4,200 persons. In addition, the United States provides small grants to local NGOs that promote human rights, a free and professional media, improved governance and the rule of law, free and fair elections, community activism, and civic responsibility. The United States actively encourages respect for religious freedom, including the right to practice religion without interference or restriction. U.S. officials regularly stress the importance of respecting religious freedom in meetings with government officials and actively highlight the presence of religious tolerance and Islam in America throughout the country. To combat human trafficking, the United States supports training on antitrafficking in persons legislation and victim identification strategies and promotes antitrafficking measures and preventive mechanisms in meetings with government officials. U.S. officials regularly engage with the international community to coordinate antitrafficking efforts.

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